

Remarks:

Applicant has studied the Advisory Action dated December 30, 2006. Claims 13-18, 20-26, 28-36, 38-45, 47-50, 61 and 62 are pending. Claims 14-15 are cancelled. Claim 13 is amended to incorporate the elements of claims 14 and 15. Thus, no new matter is added and a new search is not necessitated by the virtue of this amendment. Reconsideration and reexamination are requested for the reasons provided below.

§112 Rejection(s):

The Applicant thanks the Examiner for withdrawing the 112 rejection based on the arguments submitted in the After Final response.

§102 Rejection(s):

Pending claims are rejected under sections 102 under USPN 5,909,651 ("Chander"). The rejection is respectfully traversed.

Chander is directed to a method of broadcasting "short messages" using two separate paging cycles (i.e., a Paging Slot Cycle and an additional Broadcast Paging Cycle) thus effectively the mobile stations will have to "not only wake up for their assigned . . . Paging Slot Cycle, but also for the relevant slot of the Broadcast Paging Cycle." (See col. 3, lines 25-30). As such, Chander requires a mobile station to wake up more often, resulting in consumption of battery power at a faster rate.

In contrast, one objective of the present invention is to reduce battery power consumption, by limiting the duration and number of times a mobile station has to be awakened. This is accomplished by transmitting to the mobile station information about the position of the slot in which the message is going to be included. In this manner, the mobile station will wake up *only* to monitor the target slot, instead of waking up intermittently for each active slot during the Paging Slot Cycle and the Broadcast Paging Cycle, as suggested by Chander (see col. 2, lns 35-40).

With respect to the 102 grounds of rejection, it is respectfully noted that anticipation of claims using a drawing requires that "the picture must show all the claimed structural features and how they are put together" and "[t]he drawings must be evaluated for what they reasonably disclose and suggest to one of ordinary skill in the art." M.P.E.P. §2125. Furthermore, anticipation of a claim under 35 U.S.C. §102 (a), (b) and (e) requires that "each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference," that "[t]he identical invention must be shown in as complete detail as is contained in the ... claim" and "[t]he elements must be arranged as required by the claim." M.P.E.P. §2131.

Independent claims 13, 21, 31, 41, 61 and 62 recite a mobile communication network transmitting first information and second information in a communication cycle having a plurality of time slots, wherein the first information indicates position of message information in a target slot in said plurality of time slots. A mobile communication terminal searches a time slot in the communication cycle for the first information, and retrieves the second information from the target slot based on the first information. The first information and the second information are transmitted in a general page message over a single paging channel, such that the mobile communication terminal searches for the first information and the second information in a single communication cycle.

Chander fails to disclose the above elements and relationships. Particularly the Examiner has not pointed to any portion of the cited reference that discloses, teaches or suggests "the first information indicates position of the second information in a target slot in said plurality of time slots."

In the Advisory Action the Examiner refers to column 4, lines 25-48 and column 5, lines 3-46 of Chandler, contending that "the limitation 'first information' is equated to header information and the limitation 'second information' is equated to sms message/parameter message . . . it is clear that header information denotes an sms message for a mobile device on the following slot (i.e. position of the message) of the current communication cycle."

The Applicant has carefully reviewed the cited sections of Chander and respectfully directs the attention of the Examiner to FIG. 5 to which the cited sections refer. FIG. 5 depicts “a broadcast message having header information appended to it.” (See col. 3, lns. 47-49). Apparently the Examiner contends that the recited claim language “first information” is anticipated by one of the header data 100, 110, 120, 130 or 140. Respectfully, however, neither of said header data “indicates position of the second information [i.e., a message] in a target slot” as claimed.

Particularly, referring to column 4, line 61 to column 5, line 21, the header data provides the following parameters:

- 100 Broadcast Service Category to identify a type of service.
- 110 Distribution Address to identify message destination.
- 120 Language to identifying the language in which the message is sent.
- 130 Priority to identify message priority.
- 140 Message Size to identify how long the message is.

Accordingly, neither of the above parameters indicates the position of the text message in a target slot as claimed. The Examiner is requested to point out such teaching or suggestion with more specificity or otherwise withdraw the 102 grounds of rejection.

Respectfully, at least for the above reasons, Chander fails to disclose at least one of the above recited elements in the amended claims, and a rejection under § 102 is improper.

Further Chander specifically teaches away from the present invention by suggesting an additional cycle in which the mobile station will have to awaken, thereby consuming extra battery power. Since the objective of the present invention is to reduce consumption of battery power by reducing the frequency and length of time in which the mobile terminal have to awaken, Chander is an improper reference and should be withdrawn, regardless of whether or not another reference can be found to cure the deficiencies of Chander.

For the above reasons, the invention as recited in independent claims 13, 21, 31, 41, 61 and 62 is distinguishable over the references cited by the Examiner. Excluding the canceled claims 14, 15, 19, 27, 37, and 46, claims 16-20, 22-30, 32-40, and 42-50 respectively depending on claims 13, 21, 31, 41 should also be in condition for allowance by the virtue of their dependence on allowable base claims.

If the Examiner is to perform a new search to reject the pending claims, the Applicant will file a petition for the fee paid herewith in association with the filing of the RCE to be refunded to the Applicant, because the present amendment to claim 13 does not necessitate a new search, and the prior office action should not have been made final since the Examiner's arguments for rejecting the claims under 102 are not supported by the cited prior art.


No amendment made was related to the statutory requirements of patentability unless expressly stated herein; and no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have expressly argued herein that such amendment was made to distinguish over a particular reference or combination of references.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
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